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## **The prophets after the law or the law after the prophets? – Terminological, biblical, and historical perspectives**

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# The Formation of the Pentateuch

Bridging the Academic Cultures of  
Europe, Israel, and North America

Edited by

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Dalit Rom-Shiloni, and Konrad Schmid

Mohr Siebeck

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# The Prophets after the Law or the Law after the Prophets?

## Terminological, Biblical, and Historical Perspectives

*Konrad Schmid*

This contribution deals with the formula *lex post prophetas*, i.e., “the law comes after the prophets,” which denotes the groundbreaking reordering of ancient Israel’s religious history especially as it is linked with the name of Julius Wellhausen.<sup>1</sup> My approach to this issue is threefold. First, I attempt to trace the origin of that often-cited formula: *lex post prophetas*. Who used it first? Then I will describe the basic biblical perspective on the problem, and a final section will bring up some historically informed examples.<sup>2</sup>

### 1 The Historical Origins of the Formula *lex post prophetas*

If we investigate the historical origins of the formula *lex post prophetas* (“the law comes after the prophets”), we have to distinguish between the concept of dating “the law after the prophets” and the formula itself. The concept as such is usually associated with Julius Wellhausen, who opens his *Prolegomena to the History of Israel* (first published 1878 under the title *Geschichte Israels*, vol. I) by describing the problem he had understanding the prophets in light of the Pentateuch:

Endlich faßte ich mir Mut und arbeitete mich hindurch durch Exodus Leviticus und Numeri und sogar durch Knobels Kommentar dazu. Aber vergebens wartete ich auf das Licht, welches von hieraus auf die geschichtlichen und prophetischen Bücher sich ergießen sollte.<sup>3</sup>

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<sup>1</sup> See R. SMEND, *Julius Wellhausen: Ein Bahnbrecher in drei Disziplinen* (Munich: Carl Friedrich von Siemens Stiftung, 2004).

<sup>2</sup> For the difference between “historical” and “biblical” Israel, see R. G. KRATZ, *Historisches und biblisches Israel: Drei Überblicke zum Alten Testament* (Tübingen: Mohr Siebeck, 2013), 141–143.

<sup>3</sup> J. WELLHAUSEN, *Prolegomena zur Geschichte Israels* (3rd ed.; Berlin: Reimer, 1886), 3.

At last, I took courage and made my way through Exodus, Leviticus, Numbers, and even through Knobel's *Commentary* to these books. But it was in vain that I looked for the light which was to be shed from this source on the historical and prophetic books.<sup>4</sup>

But then, in the wake of a personal encounter and communication, Wellhausen found a way out of his aporia:

Da erfuhr ich gelegentlich im Sommer 1867, daß Karl Heinrich Graf dem Gesetze seine Stelle hinter dem Propheten anweise, und beinahe ohne noch die Begründung seiner Hypothese zu kennen, war ich für sie gewonnen: ich durfte mir gestehen, daß das hebräische Altertum ohne das Buch der Thora verstanden werden könne.<sup>5</sup>

At last, in the course of a casual visit in Göttingen, in the summer of 1867, I learned through Ritschl that Karl Heinrich Graf placed the Law later than the Prophets, and, almost without knowing his reasons for the hypothesis, I was prepared to accept it; I readily acknowledged to myself the possibility of understanding Hebrew antiquity without the Torah.<sup>6</sup>

The concept of the law coming after the prophets is attested here, but Wellhausen does not use the formula *lex post prophetas* here or elsewhere in his writings.

As for the origin of the concept, Wellhausen traces the historical roots from Graf back to Reuss, George, and Vatke:

Die Hypothese, die man nach Graf zu benennen pflegt, stammt nicht von ihm, sondern von seinem Lehrer Eduard Reuss. Am richtigsten wäre sie aber zu benennen nach Leopold George und Wilhelm Vatke; den sie haben dieselbe zuerst literarisch vertreten, unabhängig von Reuss und unabhängig voneinander.<sup>7</sup>

The hypothesis usually associated with Graf's name is really not his, but that of his teacher, Eduard Reuss. It would be still more correct to call it after Leopold George and Wilhelm Vatke, who, independent alike of Reuss and of each other, were the first to give it literary currency.<sup>8</sup>

So Reuss is the immediate predecessor of Graf, but Reuss himself was not the first to conceive of the idea; George and Vatke had written about it before him. But neither do any of these three authors use the formula *lex post prophetas*.

The situation is especially difficult with Reuss. According to his own recounting, he first expounded on the idea in his 1834 lecture class on the introduction to the Old Testament. He published it only much later, however, in 1881. Reuss explains the delay of his publication as follows:<sup>9</sup>

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<sup>4</sup> J. WELLHAUSEN, *Prolegomena to the History of Israel* (trans. J. Sutherland Black and A. Menzies; Cambridge: Cambridge University Press, 2013), 3.

<sup>5</sup> WELLHAUSEN, *Prolegomena zur Geschichte Israels* (see n. 3), 4.

<sup>6</sup> WELLHAUSEN, *Prolegomena to the History of Israel* (see n. 4), 4–5.

<sup>7</sup> WELLHAUSEN, *Prolegomena zur Geschichte Israels* (see n. 3), 4.

<sup>8</sup> WELLHAUSEN, *Prolegomena zur Geschichte Israels* (see n. 3), 5.

<sup>9</sup> E. REUSS, *Die Geschichte der Heiligen Schriften Alten Testaments* (Braunschweig: Schwetschke, 1881), VII (English translation mine).

[D]er Entwurf ist zum ersten Mal im Sommersemester 1834 Gegenstand einer Vorlesung gewesen. . . . Wer die Literatur jener Zeit sich vergegenwärtigt, nicht die conservative blos, sondern namentlich auch die kritische, der wird es begreiflich finden dass ich mich scheute sofort der gelehrten Welt die Herausforderung hinzuwerfen, die Propheten für älter als das Gesetz anzuerkennen, und die Psalmen jünger als beide.

[T]he draft was first the topic of a lecture course in the summer semester of 1834. [. . .] Whoever reflects on the literature of that time, not only the conservative, but especially also the critical one, will understand that I was immediately hesitant about challenging the academic world to consider the prophets older than the law, and the Psalms later than both.

The concept of *lex post prophetas* is clearly attested in that statement, but not the formula as such.

Independently of one another, both Leopold George and Wilhelm Vatke argued in 1835 for the late date of the cultic laws from Exodus through Numbers.<sup>10</sup> Interestingly enough, Vatke strongly criticized George and even rebuked him for being simplistic.<sup>11</sup>

Nach unserer Ansicht ist der Vf. in einem Irrthume befangen, wenn er überall voraussetzt, daß das leere Ceremonienwesen sich erst nach dem Exile gebildet habe. Stellen der älteren Propheten bezeugen hinlänglich, daß es in der Praxis lange vor dem Exile herrschte; später wurde es nur gesetzlich fixiert und kam als Moment zur älteren Gesetzgebung, welche einen wesentlich sittlichen Mittelpunkt hatte.

In our view, the author [i.e., George] is mistaken if he presupposes generally, that the vapid ceremonial cult was only formed after the exile. Verses in the earlier prophets prove sufficiently that a praxis of ceremonies existed long before the exile. It was only later codified in legal terms and appeared as an [additional] element to the earlier legislation, which had a basically moral center.

Wellhausen, of course, thought more along the lines of Vatke than of George, although he is a bit ambiguous in his writings. In his *Prolegomena*, he builds up a camouflage for all biblical laws that predate P:

Wenngleich das Deuteronomium und der Priesterkodex erst in sehr später Zeit aufgezichnet worden sind, so bleibt doch noch die jehovistische Gesetzgebung (Exod. 20–23 Kap. 34), die als schriftlicher Ausgangspunkt der israelitischen Religionsgeschichte betrachtet werden könnte.<sup>12</sup>

<sup>10</sup> L. GEORGE, *Die älteren Jüdischen Feste mit einer Kritik der Gesetzgebung des Pentateuch* (Berlin: Schroeder, 1835); W. VATKE, *Die biblische Theologie wissenschaftlich dargestellt, Teil 1: Die Religion des Alten Testaments nach den kanonischen Büchern entwickelt* (Berlin: Bethge, 1835).

<sup>11</sup> W. VATKE, review of *Die älteren Jüdischen Feste mit einer Kritik der Gesetzgebung des Pentateuch*, by L. George, *Jahrbücher für wissenschaftliche Kritik* 1 (1836), 857–863, here 860.

<sup>12</sup> WELLHAUSEN, *Prolegomena zur Geschichte Israels* (see n. 3), 410.

Even if it be the case that Deuteronomy and the Priestly Code were only reduced to writing at a late period, still there remains the Jehovistic legislation (Exodus xx.–xxiii. xxxiv.) which might be regarded as the document which formed the starting-point of the religious history of Israel.

But, as Wellhausen states in the *Prolegomena*, this is not in fact the case:

Wol fehlte es auch im alten Israel nicht an gottgegebenen Grundlagen für die Ordnung des menschlichen Lebens, nur waren sie nicht schriftlich fixirt.<sup>13</sup>

Ancient Israel was certainly not without God-given bases for the ordering of human life; only they were not fixed in writing.

It is difficult to determine precisely what Wellhausen means here by “ancient Israel,” but one gets the impression that he is simplifying things in order to provide a clear reconstruction. His *Composition* is unambiguous about the existence of law traditions, the Decalogue in E, the Covenant Code in J, and the stand-alone piece in Exodus 34 in the monarchic period:

Ausser den Berichten der beiden fortlaufenden Quellen E und J habe ich einen dritten völlig selbständigen Bericht in Kap. [sc. Exodus] 34 nachweisen zu können geglaubt, so dass also drei verschiedene Erzählungen des Vorgangs und drei verschiedene Aufzeichnungen des Inhalts der Gesetzgebung vorlägen, der Dekalog in E, das Bundesbuch in J, das Goethesche Zweitafelgesetz in Exod. 34.<sup>14</sup>

Besides the accounts of the two continuous sources J and E, I think I have been able to reconstruct a third, completely stand-alone account in chapter 34. As a consequence, there are three different narratives of the event and three different records of the content of the legislation, the Decalogue in E, the Covenant Code in J, the two tablets as mentioned by Goethe in Exod. 34.

So only George formulates the notion of the law after the prophets as a clear-cut division: *all* laws are later than the prophets. Vatke and Wellhausen present a more differentiated view: the cultic laws usually attributed to P or, as Wellhausen names it, to Q are later than the prophets but not Exod 20–23 or Exod 34.

So far, we have only discussed the concept of *lex post prophetas*. We have not found a single appearance of the formula itself in Vatke, George, Reuss, or even Wellhausen.

The question of the formula’s origin is very sparsely discussed in the scholarly literature. Morgan and Barton’s *Biblical Interpretation* from 1988 devotes only half a page to inform us (correctly) that the “phrase *lex post prophetas* was more used about Wellhausen than by him.”<sup>15</sup> They credit Ernst Wilhelm

<sup>13</sup> WELLHAUSEN, *Prolegomena zur Geschichte Israels* (see n. 3), 411.

<sup>14</sup> J. WELLHAUSEN, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (3rd ed.; Berlin: Reimer, 1899), 95; translation mine.

<sup>15</sup> R. MORGAN and J. BARTON, *Biblical Interpretation* (Oxford: Oxford University Press, 1988), 79.

Hengstenberg with coining the phrase in his critique of Vatke.<sup>16</sup> Unfortunately, they provide no clear reference. Hengstenberg writes:

Wie der Christus des N.T. nach Strauß ein Produkt der christlichen Gemeinde ist, so ist der Moses des A.T. nach Vatke ein Produkt der Israelitischen, an dessen Erzeugung sie eine lange Reihe von Jahrhunderten gearbeitet hat. Er rühmt dieser Ansicht nach, daß die Propheten bedeutend dabei gewinnen. S. 481. Die bisherige Ansicht, wonach das Prophetentum aus dem Gesetze erwuchs, wirft er mit einem Schlag zu Boden, als der natürlichen Entwicklung widersprechend.<sup>17</sup>

Just as the Christ in the New Testament is a product of the Christian community according to Strauß, so Moses in the Old Testament according to Vatke is a product of the Israelite [community]. On the construction [of the Moses character], they worked for many centuries. He [i.e., Vatke] boasts that the prophets grew much more important thereby, p. 481. He knocks down the traditional view that prophecy grew out of the law with a single blow, as this would contradict the natural development.

Therefore, again, we have a clear attestation of the concept but not of the formula *lex post prophetas*. It is unclear who coined that term – maybe it was indeed Reuss, as Rudolf Smend (oral communication) suggests, but he never wrote it down.<sup>18</sup>

## 2 Biblical Perspectives

Regarding the relationship between the law and the prophets in the purview of the Hebrew Bible itself, several levels of approach could be distinguished. First of all, according to the imagined scenery of the Hebrew Bible,<sup>19</sup> of course, Moses predates all prophets – or at least the prophets that we now know from their books. (Abraham is termed a prophet in Gen 20:9, but does not have a book.) According to the biblical perspective, this is true not only in terms of the narrative timeline but also in terms of theological quality. Deuteronomy 34:10 states that, since Moses, “no prophet has arisen in Israel whom God knew face to face.” This statement is, of course, heavily discussed, most recently in a monograph by Jeffrey Stackert,<sup>20</sup> and many divergent interpretations have been

<sup>16</sup> VATKE, *Die biblische Theologie* (see n. 10).

<sup>17</sup> E. W. HENGSTENBERG, *Die Authentie des Pentateuches, I. Band* (Berlin: Ludwig Oehmigke, 1836), li.

<sup>18</sup> A *terminus ante quem* for the term is supplied by M. KEGEL, *Bruno Bauer und seine Theorien über die Entstehung des Christentums* (Leipzig: Quelle & Meyer, 1908), 11, n. 2: “Von hier aus ergab sich für Bauer ein scharfer Gegensatz zu Vatke, der bekanntlich aus vielen Gründen die These ‘lex post prophetas’ vertrat.”

<sup>19</sup> On the difference between “biblical” and “historical” Israel, see KRATZ, *Historisches und biblisches Israel* (see n. 2).

<sup>20</sup> J. STACKERT, *A Prophet Like Moses: Prophecy, Law, and Israelite Religion* (New York: Oxford University Press, 2014), 117–122; C. NIHAN, “‘Moses and the Prophets’: Deuteronomy



offered. Nonetheless, it is obvious that it relates to Deut 18:15, where Israel receives the promise that a prophet like Moses will be raised up in order to provide guidance for the people. Whatever the diachronic relationship between Deut 34:10 and 18:15 might be, 34:10 draws a sharp line between the prophet Moses and subsequent prophets. They belong to the same group, but there is a difference in quality between Moses and all others. Deuteronomy 34:10 seems to want to distinguish the prophecy of Moses from all later prophecy. We have the fitting counterparts to that conception in Josh 1:7–8, 13 and Mal 3:22, which subordinate the whole complex of the *Nebi'im* to the point of view of Deut 34:10.<sup>21</sup>

*Malachi 3:22*

Remember the teaching of my servant Moses, the statutes and ordinances that I commanded him at Horeb for all Israel.

*Joshua 1:7–8, 13*

Only be strong and very courageous, being careful to act in accordance with all the law that my servant Moses commanded you; do not turn from it to the right hand or to the left, so that you may be successful wherever you go. This book of the law shall not depart out of your mouth; you shall meditate on it day and night, so that you may be careful to act in accordance with all that is written in it. For then you shall make your way prosperous, and then you shall be successful. [. . .]

Remember the word that Moses the servant of YHWH commanded you, saying, “YHWH your God is providing you a place of rest, and will give you this land.”

According to this line of argumentation, Moses is the first and incomparable member of a sequence of prophets that follow him. First come the prophets of the *nabî'im rî'sônîm*, then the prophets of the *nabî'im 'ahărônîm*.<sup>22</sup>

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18 and the Emergence of the Pentateuch as Torah,” *SEÅ* 75 (2010), 21–55; M. KÖCKERT, *Leben in Gottes Gegenwart: Studien zum Verständnis des Gesetzes im Alten Testament* (FAT 43; Tübingen: Mohr Siebeck, 2004), 195–215.

<sup>21</sup> Cf. O. H. STECK, *Der Abschluß der Prophetie: Ein Versuch zur Frage der Vorgeschichte des Kanons* (BTSt 17; Neukirchen-Vluyn: Neukirchener Verlag, 1991), 134–136; see also L. M. McDONALD, *The Biblical Canon: Its Origin, Transmission, and Authority* (Peabody: Hendrickson, 2007), 78–80.

<sup>22</sup> This distinction dates to the eighth century CE; see W. DIETRICH et al., *Die Entstehung des Alten Testaments* (Theologische Wissenschaft 1/1; Stuttgart: Kohlhammer 2014), 20.

### 3 Historical Perspectives

At this point, a very basic distinction needs to be introduced that is often not sufficiently taken into account in biblical studies: the difference between the world of the narrative and the world of the narrator. For the Pentateuch, the world of the narrative is basically the second millennium BCE (if we bracket for a moment the primeval history), whereas the world of the narrator belongs basically to the first millennium BCE. Despite all divergences in pentateuchal scholarship, it is fair to say at least that much.

Regarding the prophetic books, we have a similar constellation: according to the books themselves, the world of the narrative is the lifetime of the prophets. The world of the narrators may, but does not necessarily, coincide completely with the world of the narrative. It can possibly reach down to the closure of the *Nevi'im* and the end of literarily productive reinterpretation of the prophetic books.

If we are a little bolder – and this is contested to a greater extent – we can say that the written texts of the Pentateuch may have originated between the ninth and the fourth centuries BCE.<sup>23</sup> There may be some earlier<sup>24</sup> and some later texts,<sup>25</sup> and there are probably even older oral traditions reworked in the Pentateuch, but that is basically the time span we should reckon with.<sup>26</sup>

<sup>23</sup> Cf., e.g., J. L. SKA, *Introduction to Reading the Pentateuch* (Winona Lake, IN: Eisenbrauns, 2006), 184–234; J. C. GERTZ et al., *T&T Clark Handbook of the Old Testament* (New York: T&T Clark, 2012), 235–351.

<sup>24</sup> Cf. V. MAAG, “Zum Hieros Logos von Beth-El,” in *Kultur, Kulturkontakt und Religion: Gesammelte Studien zur allgemeinen und alttestamentlichen Religionsgeschichte* (ed. H. H. Schmid and O. H. Steck; Göttingen: Vandenhoeck & Ruprecht, 1980), 29–37; H. M. WAHL, *Die Jakobserzählungen: Studien zu ihrer mündlichen Überlieferung, Verschriftung und Historizität* (BZAW 258; Berlin: de Gruyter, 1997).

<sup>25</sup> Cf., e.g., for parts of Num 22–24, H. ROUILLARD, *La péricope de Balaam (Nombres 22–24)* (EBib n.s. 4; Paris: Gabalda, 1985), 467; F. CRÜSEMANN, *Die Tora* (Munich: Kaiser, 1992), 403; H.-C. SCHMITT, “Der heidnische Mantiker als eschatologischer Jahweprophet: Zum Verständnis Bileams in der Endgestalt von Num 22–24,” in “*Wer ist wie du, Herr, unter den Göttern?*” *Studien zur Theologie und Religionsgeschichte Israels; Festschrift für Otto Kaiser zum 70. Geburtstag* (ed. I. Kottsieper et al.; Göttingen: Vandenhoeck & Ruprecht, 1994), 180–198, here 185; or for Gen 5, K. SCHMID, *Genesis and Exodus: Israel's Dual Origins in the Hebrew Bible* (Siphut 3; Winona Lake, IN: Eisenbrauns, 2010), 17–18; but see the important remarks of R. HENDEL, “A Hasmonean Edition of MT Genesis?: The Implications of the Editions of the Chronology in Genesis 5,” *HBAl* 1 (2012), 448–464.

<sup>26</sup> Cf., e.g., K. SCHMID, *Schriftgelehrte Traditionsliteratur: Fallstudien zur innerbiblischen Schriftauslegung im Alten Testament* (FAT 77; Tübingen: Mohr Siebeck, 2011), 159–184; IDEM, “Der Pentateuch und seine Theologiegeschichte,” *ZTK* 111 (2014), 239–271; T. RÖMER, “Der Pentateuch,” in *Die Entstehung des Alten Testaments* (Theologische Wissenschaft 1/1; Stuttgart: Kohlhammer 2014), 53–110.

We get a similar, but not identical, picture if we look at the prophets. Amos, Hosea, and Isaiah as the earliest prophets belong to the eighth century, so the growth of the literary tradition may have started a little later than in the Pentateuch. Yet some of the prophetic books were redactionally expanded as late as the third century BCE, although this is contested.<sup>27</sup>

Taken together, there is a historical realm of possible mutual influence reaching from approximately the eighth to the fourth centuries. It is likely not only that the Pentateuch influenced the prophets<sup>28</sup> but that influences ran in the other direction as well.<sup>29</sup>

A good example for the reception of prophecy in the Pentateuch is the quote of Amos 8:2 in Gen 6:13, already identified in the early 1980s by Rudolf Smend.<sup>30</sup> God's statement in Gen 6:13, "The end has come" – an undisputed P text – seems to allude to Amos 8:2. The topic is also present in Ezek 7:2–3. Why should P (if we allow for a post-Amos date of P) take up Amos 8:2? This should be explained within the overall political-theological message of P. P advocates

<sup>27</sup> Cf., e.g., R. G. KRATZ, *Die Propheten Israels* (Munich: Beck, 2003); K. SCHMID, *The Old Testament: A Literary History* (Minneapolis: Fortress, 2012).

<sup>28</sup> Cf., e.g., E. OTTO, "Jeremia und die Tora: Ein nachexilischer Diskurs," in *Die Tora: Studien zum Pentateuch, Gesammelte Aufsätze* (BZABR 9; Wiesbaden: Harrassowitz, 2009), 515–560 (see the bibliography in 517, n. 10); C. MAIER, *Jeremia als Lehrer der Tora: Soziale Gebote des Deuteronomiums in Fortschreibungen des Jeremiabuches* (FRLANT 196; Göttingen: Vandenhoeck & Ruprecht, 2002); D. ROM-SHILONI, "Torah Interpretation in Jeremiah: Exegetical Techniques and Ideological Intentions," *Shnaton* 17 (2007), 43–87 (Hebrew); IDEM, "Actualization of Pentateuchal Legal Traditions in Jeremiah: More on the Riddle of Authorship," *ZABR* 15 (2009), 254–281; T. KRÜGER, "Das menschliche Herz und die Weisung Gottes: Elemente einer Diskussion über Möglichkeiten und Grenzen der Tora-Rezeption im Alten Testament," in *Das menschliche Herz und die Weisung Gottes: Studien zur alttestamentlichen Anthropologie und Ethik* (ATANT 96; Zürich: Theologischer Verlag, 2009), 107–136; see also T. RÖMER, "La rédaction des trois grands prophètes comme réaction à la crise de l'exil babylonien," *Transeu* 42 (2012), 69–80. Cf. further the broader reflections of H. NAJMAN, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (JSJSup 77; Leiden: Brill, 2003), 1–40.

<sup>29</sup> Cf., e.g., C. LEVIN, "The 'Word of Yahweh': A Theological Concept in the Book of Jeremiah," in *Re-Reading the Scriptures: Essays on the Literary History of the Old Testament* (FAT 87; Tübingen: Mohr Siebeck, 2013), 221–243, here 224, n. 7 (on the relationship between Jer 1:7, 9 and Deut 18:18).

<sup>30</sup> R. SMEND, "'Das Ende ist gekommen': Ein Amoswort in der Priesterschrift," in *Die Botschaft und die Boten: Festschrift für Hans Walter Wolff zum 70. Geburtstag* (ed. J. Jeremias and L. Perlitt; Neukirchen-Vluyn: Neukirchener Verlag, 1981), 67–74, reprinted in IDEM, *Die Mitte des Alten Testaments: Exegetische Aufsätze* (Tübingen: Mohr Siebeck, 2002), 238–243; cf. also J. C. GERTZ, "Noah und die Propheten: Rezeption und Reformulierung eines altorientalischen Mythos," *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte* 81 (2007), 503–522; and, foremost, T. POLA, "Back to the Future: The Twofold Priestly Concept of History," in *Torah and the Book of Numbers* (ed. C. Frevel et al.; FAT 2/62; Tübingen: Mohr Siebeck, 2013), 39–65.

a very peaceful world in which God envisions no violence or judgement toward his creation. Maybe the most blatant illustration of this is God's bow in the clouds according to Gen 9:<sup>31</sup> God puts his weapon away, and he will never again destroy the earth. But why then this interaction with Amos's prophecy of doom? P had to come to terms with the prophetic tradition that was known at its time. And Gen 9 demonstrates P's solution to this issue: Yes, there was an end of the world decreed by God, but this is a crisis that has been resolved. It happened a very long time ago and has been settled by God once and for all. In order to interact in such a subversive way with the biblical prophecy of doom, P transformed Amos 8:2 from a divine statement about the present into a primeval action.

The reworking of the Pentateuch in the prophets is a more familiar perspective in biblical scholarship on the direction of influence. Some examples are nearly undisputed, for example, the reception and reworking of Deut 24:1–4 in Jer 3:1–5<sup>32</sup> and of Deut 23:1–9 in Isa 56:1–7.<sup>33</sup> I would like to add one more example here in order to show a less evident but nevertheless important example of an innerbiblical reinterpretation of the Torah in the prophets: Jer 30:18, promising the rebuilding of the town on its ruins, is very close to Deut 13:17,<sup>34</sup> the law of an apostate town that shall be burnt and remain a ruin for ever. Apparently the authors of Jer 30:18, a promise directed toward Jerusalem, did not dare to develop a promise that directly contradicted the Torah. Therefore, they took up the relevant Torah text, Deut 13:17, quoted it, and thereby updated it with prophetic authority. Yes, an apostate town needs to be burned down, but, in the

<sup>31</sup> U. RÜTERSWORDEN, "Der Bogen in Genesis 9: Militärhistorische und traditionsgeschichtliche Erwägungen zu einem biblischen Symbol," *UF* 20 (1988), 247–263.

<sup>32</sup> Cf., e.g., K. SCHMID, *Buchgestalten des Jeremiabuches: Untersuchungen zur Redaktions- und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches* (WMANT 72; Neukirchen-Vluyn: Neukirchener Verlag, 1996), 277–294; G. FISCHER, *Jeremia 1–25* (HThKAT; Freiburg: Herder, 2005), 184–185; ROM-SHILONI, "Torah Interpretation" (see n. 28); IDEM, "Actualization" (see n. 28).

<sup>33</sup> H. DONNER, "Jesaja LVI 1–7: Ein Abrogationsfall innerhalb des Kanons – Implikationen und Konsequenzen," in *Congress Volume, Salamanca* (ed. J.A. Emerton; VTSup 36; Leiden: Brill, 1985), 81–95, reprinted in IDEM, *Aufsätze zum Alten Testament aus vier Jahrzehnten* (BZAW 224; Berlin: de Gruyter, 1994), 165–179; C. MAIER, "Ist Versöhnung möglich? Jeremia 3,1–5 als Beispiel innerbiblischer Auslegung," in "Gott bin ich, kein Mann": *Beiträge zur Hermeneutik der biblischen Gottesrede; Festschrift für Helen Schüngel-Straumann zum 65. Geburtstag* (ed. I. Riedel-Spangenberg and E. Zenger; Paderborn: Ferdinand Schöningh, 2006), 295–305; ROM-SHILONI, "Torah Interpretation" (see n. 28), 43–87; M.I. GRUBER, "Jeremiah 3:1–4:2 between Deuteronomy 24 and Matthew 5: Jeremiah's Exercise in Ethical Criticism," in *Birkat Shalom: Studies in the Bible, Ancient Near Eastern Literature, and Postbiblical Judaism Presented to Shalom M. Paul on the Occasion of his Seventieth Birthday* (ed. C. Cohen et al.; 2 vols.; Winona Lake, IN: Eisenbrauns, 2008), 1:233–249.

<sup>34</sup> Cf., e.g., SCHMID, *Buchgestalten des Jeremiabuches* (see n. 32), 119–125; G. FISCHER, *Jeremia 26–45* (HThKAT; Freiburg: Herder, 135).

case of Jerusalem, rebuilding is allowed, as God himself has promised through his prophet Jeremiah.

In sum, the prophets come after the law, *and* the law comes after the prophets.<sup>35</sup> In a diachronically differentiated approach, there are no easy solutions to that problem. This conclusion may be a burden to some of us but a relief to others.

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<sup>35</sup> This is even true for the formation of Torah and Nevi'im, cf. S.B. CHAPMAN, *The Law and the Prophets: A Study in Old Testament Canon Formation* (FAT 27; Tübingen: Mohr Siebeck, 2000).